## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Petitioner,

v.

NANCY GIROUX, et al.

Respondents.

CIVIL ACTION

NO. 12-1477

FILED

SEP - 6 2013

**ORDER** 

AND NOW, this \_\_\_\_\_\_ day of September, 2013, upon independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, IT IS HEREBY ORDERED AND DECREED that:

- 1. The Report and Recommendation is **APPROVED AND ADOPTED**;
- 2. Petitioner's Petition for a Writ of Habeas Corpus is **DENIED**;
- 3. Petitioner's Petition for Appointment of Counsel (Doc. 31) is **DENIED**;
- 4. There is no probable cause to issue a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of Court shall mark the above-captioned matter as CLOSED for statistical purposes.

BY THE COURT:

Hon. Petrese B. Tucker, C.J.